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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,689	02/23/2004	Dale M. Schultz	LOT9-2004-0010 (7321-43U)	1338
46321 7590 09/24/2007 CAREY, RODRIGUEZ, GREENBERG & PAUL, LLP STEVEN M. GREENBERG 950 PENINSULA CORPORATE CIRCLE SUITE 3020 BOCA RATON, FL 33487			EXAMINER CHAUHAN, LOREN B	
			ART UNIT 2193	PAPER NUMBER
			MAIL DATE 09/24/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/784,689

Applicant(s)

SCHULTZ, DALE M.

Examiner

Loren Chauhan

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/24/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-16 are pending for examination.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-10 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

- a. As to claims 1 and 6 the claims are non-statutory as they fail to produce a "useful, concrete, and tangible result." *State Street Bank & Trust Co. v. Signature Financial Group Inc.*, 149 F. 3d 1368, 1373-74 (Fed. Cir. 1998). The claims fail to provide a useful, concrete, and tangible result of the operation, and thus fail to indicate how the invention accomplishes a practical application.

- b. Claims 2-5 and 7-9 are rejected for similar reasons as discussed for their respective parent claims, as they fail to present any limitations that resolve the deficiencies of the claim from which they depend.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The claim language in the following claims is not clearly understood:

- i. As per claim 1, line 2, it is not clearly explain how the converting from single byte to multi byte is being done (i.e. adding some ASCII value to make it multi byte). Line 4, it is unclear how the providing of multi-byte test string to a testing tool is done (i.e. store multi-byte into a file and then accessing to from a testing tool).
- ii. As per claim 5, line 2, it is uncertain how the adding a fixed integer value into each character is done (how can you add a integer value in to a character? OR adding an integer value into characters' HEX/ASCII value).
- iii. As per claims 6 and 10, are machine-readable storage claims of claims 1 and 5, therefore; it is rejected for the same reason as claims 1 and 5 above.
- iv. As per claim 11, line 2, it is uncertain how the adding a base value into each character to convert in multi-byte is done (how can you add a base value in to a character? OR adding a base value of HEX/ASCII into

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characters' HEX/ASCII value OR adding a base value of characters' binary value).

v. As per claim 14, it is a machine readable storage claim of claim 11, therefore; it is rejected for the same reason as claim 11 above.

The art rejection of these claims will be based on the examiner's best understanding of the claims.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-2, 5-7 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Meade (US Patent No. 6,507,812).

8. As per claim 1, Meade teaches the invention as claimed including a method for testing multi-byte data handling (col. 4, lines 45-47, col. 8, lines 25-29, col. 7, lines 8-9) comprising the steps of:

converting each single byte native text character of a source string to a multi-byte (col. 7, lines 8-9) equivalent to produce a multi-byte test string (810, fig 8; col. 8, lines 23-29); and,

providing said multi-byte test string to a testing tool for use when testing a computer program (700, fig. 7; col. 7, lines 45-47).

9. As per claim 2, Meade teaches the invention as claimed including a method for testing multi-byte data handling, wherein said multi-byte equivalent is a wide Latin equivalent (col. 2, lines 61-63; col. 8, lines 23-29).

10. As per claim 5, Meade teaches the invention including a method of testing multi-byte data handling, wherein said converting step comprises the step of adding a fixed integer value to each said character to produce said wide Latin equivalent (col. 7, lines 48-50; col. 5, lines 1-15; col. 2, lines 61-63).

11. As per claims 6-7 and 10, they are machine-readable storage claims of claims 1-2 and 5, therefore; they are rejected for the same reason as per claims 1-2 and 5.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 3-4, 8-9 and 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meade (US Patent No. 6,507,812).

14. As per claim 3, Meade does not explicitly teach the method, wherein said converting step comprises the steps of: for each said single byte native text character, determining whether said character falls within a range of alphanumeric characters; and, for each said single byte native character, converting said character to a multi-byte equivalent to produce a multi-byte test string only if said character falls within said range.

15. However, Meade teaches that the mock translation process produces an output which contains, for a given word or phrase, an open square bracket, a string of placeholder characters, the original word or phrase and a close square-bracket (col. 4, lines 61-64), store in to localization file (col. 5, lines 33-36) and then convert single-byte character to its equivalent multi-byte character (col. 8, lines 23-25).

16. It is obvious to one of the ordinary skill in the art at the time of the invention was made that this method converts single byte alphanumeric characters to multi-byte

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characters because it adds special characters as a placeholders when it converts to multi-byte characters (col. 5, lines 25-27).

17. As per claims 4, 8-9, 13 and 16, they are similar and machine-readable storage claims of claim 3 therefore; they are rejected for the same reason as per claim 3 above.

18. As per claim 11, Meade teaches the invention substantially as claimed including a method for testing multi-byte data handling (col. 4, lines 45-47, col. 8, lines 25-29, col. 7, lines 8-9) comprising the steps of:

first loading a first single-byte character in a test string (col. 7, lines 45-47);

adding a base value to said loaded character to convert said character to a multi-byte equivalent character (col. 5, lines 1-15; col. 8, lines 23-25; col. 7, lines 8-9);

inserting said multi-byte equivalent character into a result string at a position in said result string equivalent to a corresponding position in said test string (col. 8, lines 27-29).

19. Meade does not explicitly teach the second loading a next single byte character in said test string; and, repeating said adding, inserting and second loading steps for each remaining character in said test string.

20. However, Meade teaches that each entry in the file is mock translated by converting each single-byte character to its double-byte equivalent (col. 8, lines 23-25).

21. It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to use the converting method of Meade to convert single-byte

character to its equivalent double-byte character so that this tool can be used in conjunction with the functional verification phase of testing software under development by testers who may not be skilled in any other language (col. 3, lines 8-11).

22. As per claim 12, Meade teaches the method, wherein said adding step comprises the step of adding a base value to said loaded character to convert said character to a wide Latin equivalent (col. 7, lines 48-50; col. 5, lines 1-15; col. 2, lines 61-63).

23. As per claims 14 and 15, they are machine-readable storage claims of claim 11 therefore; they are rejected for the same reason as per claim 11 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Loren Chauhan whose telephone number is 571-270-1554. The examiner can normally be reached on Mon.-Thr. 9:30-5:00 (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Loren Chauhan
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